

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

CITY OF CHICOPEE, Acting through the
Chicopee Public Schools,
Plaintiff

v.

DAVID T. As Parent and next friend of
Kaitlyn T. and MASSACHUSETTS
DEPARTMENT OF EDUCATION,
Defendants

Case No: 04-30087-MAP

**PARTIALLY ASSENTED TO MOTION OF CITY OF CHICOPEE TO EXTEND
DEADLINE FOR FILING MOTION FOR SUMMARY JUDGEMENT**

Now comes the City of Chicopee, Acting Through the Chicopee Public Schools (“Chicopee”) in the above-entitled matter and respectfully requests that this Honorable Court grant Chicopee a two week extension of time in which to file its Motion and Memorandum in Support of Summary Judgment.

In support thereof, Chicopee states that its motion and memorandum are currently due to be filed on or before November 6, 2004. Chicopee and David T. have been engaged in discussions to potentially settle both federal court matters and Kaitlyn’s placement for the 2004-2005 school year. They have agreed to have the 2004-2005 program observed by their respective experts on Wednesday, November 10, 2004. Chicopee and David T. will then determine the potential for settlement. If settlement is not forthcoming, Chicopee will file its Motion and Memorandum in Support of Summary Judgment on or before Friday, November 19, 2004 with the permission of the Court.

WHEREFORE, Chicopee hereby moves for a two week extension of time to file its Motion and Memorandum in Support of Summary Judgment to November 19, 2004.

FOR PLAINTIFF,
CITY OF CHICOPEE ACTING
THROUGH THE CHICOPEE PUBLIC
SCHOOLS

By /s/ Claire L. Thompson

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ASSENTED TO:
FOR DEFENDANT
DAVID T. AS PARENT AND
NEXT FRIEND OF KAITLYN T

ASSENTED TO:
FOR DEFENDANT
MASSACHUSETTS DEPARTMENT OF
EDUCATION

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CERTIFICATE OF SERVICE

I certify that this document has been served upon all counsel of record in compliance with F.R.C.P., on November 2, 2004.

/s/ Claire L. Thompson
Claire L. Thompson